

1 Dan C. Bowen (Nevada Bar No. 1555)  
 2 Ann O. Hall (Nevada Bar No. 5447)  
 3 BOWEN HALL  
 4 555 S. Center Street  
 5 Reno, NV 89501  
 Telephone: (775) 323-8678  
 Facsimile: (775) 786-6631  
[dbowen@bowenhall.com](mailto:dbowen@bowenhall.com)

6 Joseph A. Hynds (Admitted *Pro Hac Vice*)  
 7 Steven Lieberman (Admitted *Pro Hac Vice*)  
 8 Lisa N. Phillips (Admitted *Pro Hac Vice*)  
 9 ROTHWELL, FIGG, ERNST & MANBECK,  
 10 P.C.  
 11 607 14th Street, N.W.  
 Suite 800  
 12 Washington, DC 20005  
 Telephone: (202) 783-6040  
 13 Facsimile: (202) 783-6031  
[jhynds@rfem.com](mailto:jhynds@rfem.com)  
[slieberman@rfem.com](mailto:slieberman@rfem.com)  
[lphillips@rfem.com](mailto:lphillips@rfem.com)  
 14 *Counsel for Defendant/Counterclaim-*  
*Plaintiff Sandoz Inc.*

15 **UNITED STATES DISTRICT COURT**  
 16 **DISTRICT OF NEVADA**

17 BAYER SCHERING PHARMA AG  
 18 and BAYER HEALTHCARE  
 PHARMACEUTICALS INC.,  
 19  
 20 Plaintiffs/Counter-Defendants,

21 v.

22  
 23 WATSON PHARMACEUTICALS, INC.  
 24 and WATSON LABORATORIES, INC.,  
 25  
 26 Defendants/Counter-Plaintiffs,  
 and  
 27 SANDOZ INC.,  
 28  
 Defendant/Counter-Plaintiff.

) No. 2:08-cv-00995-KJD-(GWF)  
 ) Consolidated with  
 ) No. 2:07-cv-01472-KJD-(GWF)

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 ) **ORDER DENYING AS MOOT**  
 ) **THE PORTION OF SANDOZ'S**  
 ) **EMERGENCY MOTION TO STAY**  
 ) **REQUESTING ALTERNATIVE RELIEF**  
 ) **UNDER FED. R. CIV. P. RULE 60(b)(6)**

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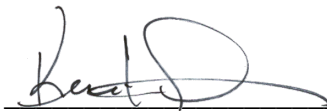
1 On February 11, 2013, this Court granted Plaintiff's Motion to Reset the Effective Date of  
2 the FDA's approval for the Defendants to Market Generic YAZ. (Dkt. 363.)

3 On February 12, 2013, Defendant Sandoz Inc. ("Sandoz") filed an emergency motion to stay  
4 the Court's February 11 order (*see* Dkt. 364.) and a memorandum in support thereof ("Emergency  
5 Motion to Stay"). Sandoz requested relief therein pursuant to Fed. R. Civ. P. 62(c) (Dkt. 364 at 2.)  
6 and, in the alternative, pursuant to Fed. R. Civ. P. 60(b)(6).  
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8 On February 28, 2013, Sandoz filed Notice of Withdrawal of the Portion of Sandoz's  
9 Emergency Motion to Stay Requesting Alternative Relief Under Fed. R. Civ. P. Rule 60(b)(6).  
10 (Dkt. 375.)

11 In view of the Sandoz notice of withdrawal, IT IS HEREBY ORDERED that Sandoz's  
12 motion pursuant to Fed. R. Civ. P. 60(b)(6) is hereby DENIED as moot.

13 DATED this 8<sup>th</sup> day of March 2013.  
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17 Kent J. Dawson  
18 United States District Judge  
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